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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-seventh session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bengoa, Mr. Eide, Mr. El-Hajjé, Ms. Forero Ucros, Mr. Guissé, Ms. Gwanmesia, Mr. Hakim, Mr. Joinet, Mr. Khalifa, Ms. Koufa, Mr. Ramadhane, Ms. Warzazi and Mr. Yimer: draft resolution

1995/... Situation of human rights in Burundi

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the principles embodied in the Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming that all Member States have the right and duty to promote and protect human rights and to discharge the obligations set out in the various applicable instruments,

Emphasizing that Burundi is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recalling Commission on Human Rights resolution 1995/90 of 8 March 1995 concerning Burundi, which called for the appointment of a special rapporteur to prepare a report on the situation of human rights in Burundi for submission to the Commission at its fifty-second session,

Welcoming the visit made to Burundi on 16 and 17 July 1995 by the Secretary-General of the United Nations,

Also welcoming the numerous visits to Burundi by the Secretary-General of the Organization of African Unity, the latest of which he made on the eve of the thirty-first Summit of the Organization of African Unity at the head of a ministerial delegation composed of the Ministers for Foreign Affairs of Egypt, Mauritius, South Africa and Tunisia, the strengthening of the observer mission of the Organization of African Unity in Burundi, and the efforts made by the Heads of State of the Organization of African Unity to promote national conciliation at their thirty-first Summit held in Addis Ababa from 26 to 28 June 1995,

Deeply concerned to note the persistence of serious and systematic violations of human rights and massive, summary and arbitrary executions, including, inter alia, particularly inhuman acts such as burning people alive in public, enforced abductions and disappearances and numerous cases of political assassination,

Alarmed by the fact that, on the occasion of clashes between the Burundi army and elements of the Forces for the Defence of Democracy, as well as operations conducted by the Burundi army under the pretext of disarming the population, very large numbers of innocent, defenceless civilians have been killed or forced into exile and their houses and villages pillaged and burned, particularly in certain communes of rural Bujumbura, Cibitoke and Bubanza,

Deeply concerned by the persistence of the messages disseminated by most of the Burundi media, constituting incitement to ethnic hatred and violence,

Also concerned by the persistent impunity of perpetrators of blood crimes and other flagrant and massive violations of human rights which are at the origin of an endless cycle of acts of vengeance and collective killings,

Alarmed by the situation of widespread insecurity prevailing throughout the country, and more particularly in the municipality of Bujumbura and certain

provincial communes in rural Bujumbura, Cibitoke and Bubanza, where a veritable war is currently in progress,

Deeply alarmed by the recent report of the Special Rapporteur on extrajudicial, summary or arbitrary executions following his return from his recent mission to Burundi between 19 and 29 April 1995,

1. Calls upon the international community to expedite the establishment of the international commission of judicial inquiry whose creation was recently recommended to the Security Council by the Secretary-General of the United Nations and which should be responsible for investigating the coup d'état of 21 October 1993 and the massacres that followed, the acts of vengeance that are being committed to this day and the incitement to racial hatred carried out by the Burundi media, so as to put an end to impunity;

2. Also calls upon the international community to provide substantial support to the Burundi judicial system in order to guarantee its independence and impartiality, which is a prerequisite for its efficiency and ability to identify and try the individuals responsible;

3. Invites all actors on the Burundi political scene, both within and outside the country, to engage in a true national dialogue so as to permit a rapid restoration of the rule of law in Burundi;

4. Also invites the international community to take all necessary measures to combat the supply of arms to the various militias and armed bands in Burundi;

5. Appeals for appropriate support to be given to human rights associations and to Burundi civil society in general, particularly in the context of their activities in favour of education and the sensitization of the population to human rights, national reconstruction and the training of Burundi youth;

6. Appeals to the Commission on Human Rights to reinforce the activities of the Special Rapporteur whom it has appointed by envisaging the rapid deployment of permanent human rights observers in sufficient numbers to cover all of Burundi's territory;

7. Decides to continue consideration of the situation of human rights in Burundi at its forty-eighth session under the appropriate agenda item.